



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,067	11/29/2001	Hiroyuki Hirata	YKI-0081	4811
23413	7590	08/31/2004	EXAMINER	
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			BORISSOV, IGOR N	
		ART UNIT	PAPER NUMBER	
		3629		

DATE MAILED: 08/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/997,067	HIRATA ET AL. <i>[Signature]</i>	
	Examiner	Art Unit	3629
Igor Borissov			

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 March 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,5-9,11,12,14,16,17,19,21,23,24 and 26-28 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1,2,5-9,11,12,14,16,17,19,21,23,24 and 26-28 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 3-4, 10, 13, 15, 18, 20, 22 and 25 have been canceled. Claims 1, 11 and 19 have been amended. Claims 1, 2, 5-9, 11-12, 14, 16-17, 19, 21, 23-24 and 26-28 are currently pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 5-9, 11-12, 14-17, 19, 21 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over PCT Application WO 00/30338 (WO 00/30338) in view of Manico et al. (U. S. 6,373,551).

WO 00/30338, which appears to be published on May 25, 2000, teaches to an electronic film system and method of film processing, comprising:

As per claims 1, 7-8, 11-12, and 19,

- inputting data stored in a user device (page 2, line 16; page 48, lines 20-21);
- storing said data in a server computer connected to said network in association with a unique address or unique data assigned to the user (page 32, line 8 through page 35, line 22);
- transmitting said data to a terminal connected to said network when the user accesses said server computer from the terminal using said unique address, or unique data (page 2, line 16; page 32, line 8 through page 35, line 22).

WO 00/30338 does not specifically teach for "returning" of the user device.

Manico et al. teach to a system and method for communication of digital images generated from photographic film, wherein a one-time use camera is employed, thereby indicating returning said one-time camera for developing images.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify WO 00/30338 to incorporate the "returning" feature because it would advantageously allow the customers, who do not have access to web connection, to maintain and retrieve their digital images via the Internet.

As per claim 2, Manico et al. teach said system and method, wherein said address is previously provided in said device in a form, which is visible to the user (column 3, lines 13-16, 44-46). The motivation to combine WO 00/30338 with Manico et al. would be allowing the customers not having access to web connection to maintain and retrieve their digital images via the Internet.

As per claims 5, 14 and 21, WO 00/30338 teaches said system and method, wherein said address is generated from information associated with the user (page 32, line 8 through page 35, line 22).

As per claims 6, 16 and 23, Manico et al. teach said system and method, wherein said address is URL (column 3, lines 13-15, 56-59; column 5, lines 43-45, 65-67). The motivation to combine WO 00/30338 with Manico et al. would be allowing the customers not having access to web connection to maintain and retrieve their digital images via the Internet.

As per claims 7-8 and 12, Manico et al. teach said system and method, wherein said data is transmitted to the server computer via said network and is stored on said server computer (page 32, line 8 through page 35, line 22). The motivation to combine WO 00/30338 with Manico et al. would be allowing the customers not having access to web connection to maintain and retrieve their digital images via the Internet.

As per claims 9, 17 and 24, WO 00/30338 teaches said system and method, wherein said data includes image data and/or voice data (page 44, lines 21-23; page 45, line 30 through page 46, line 6).

Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 00/30338 and Manico et al.

As per claims 26-28, WO 00/30338 and Manico et al. teach all the limitations of claims 26-28, including storing the unique address or unique data in a memory of the user device, except that said unique address or unique data is stored in a root directory area in the memory of said device.

Official notice is taken that storing data in a root directory is old and well known (See, for example, Tanaka US 6,476,929 column 7, lines 13-15; 45-47; Hirai US 6,493,108 column 7, lines 16-17; Takahashi et al. US 5,819,261; column 39, lines 29-34).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify WO 00/30338 and Manico et al. to include that said unique address or unique data is stored in a root directory area in a memory of said device, because it would advantageously allow quick access to the stored files thereby simplify management of said data.

Response to Arguments

Applicant's arguments filed on 3/26/04 have been fully considered but they are not persuasive.

In response to applicant's argument that the prior art does not teach that the storage of data is in a region in association with a unique address or unique data assigned to the user, the examiner points out that assigning a portion of a memory for storing a particular data is old and well known. See, for example, Ikenoue et al. US 5,129,050 column 7, lines 23-25.

In response to applicant's argument that the prior art does not teach storing data in a root directory, the examiner maintains that it is old and well known to create files in a root directory. See, for example, Tanaka US 6,476,929 column 7, lines 13-15; 45-47; Hirai US 6,493,108 column 7, lines 16-17; Takahashi et al. US 5,819,261; column 39, lines 29-34.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks
Washington D.C. 20231***

or faxed to:

(703) 872-9306

[Official communications; including
After Final communications labeled
"Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

IRB.

gcl
JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600